



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

December 12, 2022

VIA ECF

The Honorable Lewis J. Liman
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Austin Sanctuary Network et al. v. U.S. Immigration and Customs
Enforcement et al.*, 20 Civ. 1686 (LJL)

Dear Judge Liman:

This Office represents defendant United States Immigration and Customs Enforcement (“ICE”) in the above-referenced Freedom of Information Act (“FOIA”) case. I write respectfully on behalf of all parties to this action pursuant to the Court’s October 18, 2022 order directing the parties to provide a status report to the Court by December 12, 2022 and every four weeks thereafter, including on the rate of document production and the anticipated date for completion of the document production. (See ECF No. 88 at 2).

On December 2, 2022, the Court granted ICE’s request to extend the deadline for it to complete its search until December 9, 2022. (ECF No. 92). On December 9, 2022, the parties finalized the search protocol that ICE will use, including the search terms to be run and the custodian files to be searched. The search involves the files of 20 custodians, from various ICE program offices, and numerous search terms that were crafted by Plaintiffs and ICE. ICE has agreed to prioritize the files of the custodians in the order requested by Plaintiffs. Analytics that the parties discussed during the search protocol negotiation have indicated that the searches will likely return tens of thousands of documents.

Since this past Friday, December 9, 2022, ICE has been endeavoring to actually run the finalized search terms and image the files so that the ICE FOIA Office can begin processing the documents. After ICE began running the searches in Relativity, its document hosting platform, it ran into a technical issue with its server that caused Relativity to pause the processing of the searches. ICE’s Office of the Chief Information Officer has been and continues to work on resolving the technical issue so that Relativity can continue to process the searches. Accordingly, the parties propose to provide an updated status report to the Court once the searches have been completed in Relativity and the documents have been imaged and provided to the ICE FOIA Office. ICE anticipates it will be able to provide the Court with a document count at that time.

At present, the parties are scheduled to appear before the Court for a status conference on January 23, 2023. (See ECF No. 94).

Thank you for your consideration of this request.

Respectfully,

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